

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Middeldorp et al. Confirmation No. 6359
Application No.: 10/036,729 Group Art Unit: 1633
Filing Date: December 21, 2001 Examiner: Qian Janice Li
For: *PEPTIDES AND NUCLEIC ACID SEQUENCES RELATED TO THE EPSTEIN BARR
VIRUS*

Date: August 18, 2008

Mail Stop Amendment
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Attached is an Information Disclosure Statement listing of documents, together with a copy of any listed foreign patent document and/or non-patent literature. A copy of any listed U.S. patent and/or U.S. patent application publication is not provided herewith in accordance with 37 C.F.R. § 1.98(a)(2)(ii).

- ☐ In accordance with **37 CFR 1.97(b)**, the information disclosure statement is being filed:
- ☐ (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
 - ☐ (2) within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
 - ☐ (3) before the mailing of a first Office Action on the merits; or
 - ☐ (4) before the mailing of a first Office Action after the filing of a request for continued examination under §1.114.

☒ In accordance with **37 CFR 1.97(c)**, the information disclosure statement is being filed after the period specified in 37 CFR 1.97(b) above, but before the mailing date of any of a final action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by **one** of the following:

- ☐ (1) The statement specified under **37 CFR 1.97(e)**, as follows:
- ☐ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **or**

☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement; **or**

☒ (2) The fee set forth in §1.17(p);

☐ In accordance with **37 CFR 1.97(d)**, the information disclosure statement is being filed after the period specified in 37 CFR 1.97(c) above, but on or before payment of the issue fee, and is accompanied by **both** of the following:

☐ (1) The statement specified under **37 CFR 1.97(e)**, as follows:

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **or**

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement; **and**

☐ (2) The fee set forth in §1.17(p);

In accordance with **37 CFR 1.97(g)**, the information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with **37 CFR 1.97(h)**, the information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

☒ The Director is hereby authorized to charge \$180.00 as fee specified in 37 C.F.R. § 1.17(p), and any fee deficiency or credit any overpayment, to Deposit Account No. 50-0220; **or**

☐ No fee is believed due. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

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Please note, applicants enclose herewith a European Patent Office (espacenet.com) document that presents the English abstract for European Application No. EP0316170, to which the full application was disclosed in the present application in an Information Disclosure Statement submitted on December 21, 2001. As this document indicates, EP0316170 corresponds to Japanese Application No. 2002399. Thus, applicants believe that the EP0316170 abstract represents what is described in the abstract for Japanese Application No. 2002399.

Respectfully submitted,

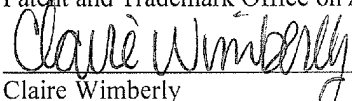


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CERTIFICATION OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on August 18, 2008.


Claire Wimberly